

### REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

The specification and Abstract are amended by the present response to correct minor informalities, and the Abstract is amended to be consistent with the claims as currently written.

Claims 1-9 are pending in this application. Claims 1-3, 5, 6, 8, and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. patent 6,040,030 to Utsunomiya et al. (herein "Utsunomiya"). Claims 4 and 7 were objected to as dependent upon a rejected base claim, but were noted as allowable if rewritten in independent form to include all of the limitations of their base claims and any intervening claims.

Initially, applicants gratefully acknowledge the early indication of the allowable subject matter in claims 4 and 7.

Addressing now the rejection to claims 1-3, 5, 6, 8, and 9 under 35 U.S.C. § 102(b) as anticipated by Utsunomiya, that rejection is traversed by the present response.

Applicants initially note each of independent claims 1 and 5 is amended by the present response to clarify that the recording is carried out in "a groove recording mode". That subject matter is fully supported by the original specification for example at page 4, lines 13-30. As noted in that portion of the specification, Figure 1 in the present specification shows an optical recording in a groove recording mode and Figure 2 shows an optical recording in a land/groove recording mode. Further, based on discoveries by the present inventors, the present invention can significantly reduce cross-erasing by employing a groove recording mode rather than a land/groove recording mode with certain conditions met.<sup>1</sup>

The above-noted features clarified in the claims are believed to clearly distinguish over the teachings in Utsunomiya.

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<sup>1</sup> See for example the present specification at page 6, lines 8-19.

More particularly, Utsunomiya notes at column 4, lines 27-30 that the method disclosed therein “is adapted for use with an optical recording medium of *land/groove recording type* wherein both the land and the groove are used for the recording tracks”.<sup>2</sup> Thus, the operation of Utsunomiya is directed to a different recording mode than that in the claimed invention. That is, in contrast to the teachings in Utsunomiya, the claims as currently written are directed to use in a groove recording mode, see for example Figure 1 of the present specification, in contrast to a land/groove recording mode in which recording marks are entirely located within a groove or land. Further, one objective of the claimed invention is to reduce cross-erasing of data in the case of recording optical information in an optical recording medium using the groove recording mode. Utsunomiya is clearly directed to a different type of device with different objectives.

Thus, the features recited in the claims differ from the teachings in Utsunomiya as Utsunomiya is not directed to recording in a groove recording mode.

In view of these foregoing comments, applicants respectfully submit the claims as currently written distinguish over the teachings in Utsunomiya.

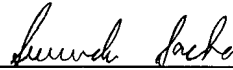
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<sup>2</sup> Utsunomiya at column 4, lines 27-30 (emphasis added).

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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